

the ranking member, as we have comity, but we will take up the resolution, look to pass it out, and then work with you to make sure it passes to the floor.

Mr. WYDEN. Would the Senator just yield very briefly?

Mr. MENENDEZ. Sure.

Mr. WYDEN. I thank my colleague. I understand full well because between the Foreign Relations Committee and the Finance Committee, we have these kinds of challenges very, very frequently. I very much appreciate working with my colleague and look forward to moving this early next year.

Mr. MENENDEZ. And because of that, I object at this point.

The PRESIDING OFFICER. The objection is heard.

The PRESIDING OFFICER. The Senator from Arizona.

#### MORNING BUSINESS

Ms. SINEMA. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### IMMIGRATION

Ms. SINEMA. Mr. President, I rise today as border communities in Arizona and across our country are in complete crisis. This crisis is not new. It is one that has progressively worsened year after year, administration after administration, due to the Federal Government's repeated failures to address our broken border and immigration system.

As a native Arizonan, I have seen firsthand how these failures fall squarely on the shoulders of border States, risking the safety of our communities and endangering the lives of migrants themselves.

Right now, we are experiencing a dangerous tipping point. The combination of an insecure border, an overworked and underresourced Border Patrol and protection force, and never-before-seen levels of illegal immigration, asylum seekers, and coordinated smuggling efforts have completely ruined an already broken system.

To make matters worse, title 42, the public health order that stops some migrants from entering our country, may soon expire, allowing thousands of migrants to enter Arizona, Texas, and other border States without the proper procedures, plans, or infrastructure in place.

Let me be clear. This is a humanitarian and security nightmare. Already, our border towns can barely keep up with the demand from the overwhelming levels of immigration. In San Luis, a small community of roughly 37,000 people right on the Arizona-Mexico border, the fire chief recently told us that three of his five ambulances are used solely to care for migrants in need, leaving only two ambu-

lances for the entire local community on any given night. The city of Tucson has already accepted over 15 percent of its total population just in migrant releases since April of this year. In Yuma, the threat of street releases persists every single day, including today.

With thousands of migrants coming to our border and seeking asylum, our overwhelmed Border Patrol agents are now additionally tasked with processing asylum seekers, taking the agents away from their important work of patrolling the border, apprehending illegal crossers, and stopping cartels, drugs, and smugglers. The consequences are plain to see. The mayor of San Luis even recently reported seeing migrants traveling along inner-city highways because Border Patrol was too overwhelmed to apprehend them closer to the border.

While towns like San Luis, humanitarian organizations across our State, and our brave women and men in blue, green, and brown shoulder the burden of a failed system, Washington continues to politicize solutions. Politicians are retreating to their partisan corners instead of examining the problem for what it is, not what one party or the other party wishes it was, and focusing on finding meaningful solutions. Some refuse to acknowledge the need for increased security measures at all, while others have a singular view of what kind of security is sufficient. Some want to welcome all who come to the border into our country, while others want to keep everyone out, and a few want to defund the very agencies that are tasked with enforcing our immigration laws or underfund the very humanitarian organizations that provide vital services and care for the asylum seekers our country has always pledged to help.

As someone who has seen all the challenges at our border my entire life, I know these are all false choices. That is why I rejected the partisan echo chamber and partnered with my good friend Senator THOM TILLIS on a bipartisan proposal to help solve some of the real problems our border communities and immigration system continue to face. Just as we have on a number of complex issues—from gun violence to marriage equality and religious freedom—we focused on our shared values and shared goals. Before we could tackle the issue of a backlogged asylum process, employment visas, or the status of undocumented residents, we knew we had to focus first on securing the border.

A problem as big as our broken border needs a smart, comprehensive solution, and that solution starts by investing in the brave men and women who keep our border safe. A robust, well-trained, and well-resourced Border Patrol, Office of Field Operations, and Air and Marine Operations force are critical to secure the border, to keep our communities safe, and to ensure the fair and humane treatment of migrants. Senator TILLIS and I focused on

boosting pay, increasing force sizes, and providing our agents and officers the equipment and the technology they need to do their jobs safely and efficiently.

Beyond supporting our men and women in blue, green, and brown, we are committed to reasserting control of our border. Senator TILLIS and I understand that to secure our border, we need physical barriers where they make sense but that relying only on physical barriers is a 17th-century answer to a 21st-century problem. The fact is, the majority of illegal drugs seized coming into our country arrive through our ports of entry.

This past October, our Office of Field Operations officers reported a 73-percent increase in fentanyl seizures compared with just 1 year ago.

And just 2 weeks ago, the Office of Field Operations officers at the Nogales Port of Entry seized over 1.5 million fentanyl pills in less than 5 days. A wall alone can't stop these drugs from finding a way into our country and killing our friends, our neighbors, and our loved ones.

We must supplement security barriers with innovative technology solutions, we must boost our border protection and patrol forces, and we must update the policies governing our border to meet the moment.

For years, our asylum system has represented the promise of America—welcoming those fleeing persecution to find freedom and safety. Today, though, our asylum system is broken, our Border Patrol isn't able to do their jobs and catch dangerous criminals, and our border communities cannot keep up.

In order to uphold the promise of protection and freedom and ensure that our asylum system works for those who seek to serve, we must acknowledge that the status quo is no longer functional. Our immigration courts and asylum officers remain completely backlogged, with simple cases taking years to resolve, sending a message that America does not take this process seriously and that our system can be manipulated.

In Arizona, the impact is clear. Small towns along our border like San Luis, Nogales, Naco, Yuma, and Ajo are overwhelmed daily, struggling to care for their own residents while managing an increasing influx of hundreds of migrants every day.

With our asylum system broken, more migrants make the arduous and often devastating journey to our border. When they arrive, they risk not being able to access the care and medical attention they need.

Now, Arizona's humanitarian organizations do incredible work. They go above and beyond every day to avoid street releases and to ensure that migrants are treated fairly. But they can only do so much. For example, the main humanitarian organization in Tucson, Casa Alitas, has been operating over capacity for over a month,

serving an average of 600 asylum seekers a day. And Yuma's Regional Center for Border Health now is contracting hotel rooms and buses due to the large number of migrants coming to that small city.

With the snowbird season and farming season well underway, hotels are increasingly limited, placing even more strain on Yuma's already overwhelmed public health and emergency response system.

So Senator TILLIS and I understand we cannot address the border without also fixing our asylum system. Our bipartisan plan creates an orderly system for those wishing to claim asylum. By streamlining the asylum process in a manner that respects American values, we will quickly and fairly adjudicate claims and remove those who do not have a valid claim of asylum, sending a message to those in other countries that our asylum system will no longer be manipulated.

The crisis at our border represents an immediate threat, but those of us from border States know—and we have seen up close—that strong border security, healthy cross-border trade, and a fair immigration system all go hand in hand. We can—and we must—achieve all three.

In 2019, over \$2 trillion worth of goods were traded through our ports of entry, and the Nogales port alone handles over \$1 billion of produce every year. The goods and services traded between Arizona and Mexico power jobs across our State; and often, immigrant workers are the very ones fueling our cross-border trade and keeping this sector of our economy strong.

To ensure that our border States' economies continue to grow and to ensure our Nation's economy continues to thrive for generations to come, we need a robust workforce. And that is why our bipartisan proposal fixes a wasteful loophole in our current employment visa system. For years, hundreds of thousands of visas have gone to waste.

By righting this wrong, we will increase our country's competitiveness and make sure America has the workforce it needs to power our economy and compete on the world stage. I believe the future resilience of our country also depends on the full inclusion of millions of young people, often known as Dreamers.

In America, we don't punish children for the actions of their parents. And millions of young people have been brought to our country through no fault of their own. These kids have grown up in our neighborhoods, attended our schools, graduated, gotten jobs; they have served in our military; they have contributed to our economies—all while making our communities more vibrant and great places to live.

But now, they are stuck in limbo, casualties of Washington's inability to solve our broken immigration system. And that is why Senator TILLIS and I

have said: Enough is enough. We call on our colleagues to join us in a bipartisan plan to give these young people a chance to be recognized as Americans.

Look, our proposal is tough, but it is fair. And I am certain that it will make America a stronger and safer place for all of us.

I stand here today disappointed, as we come close to closing out the 117th Congress, that Washington has chosen yet again to retreat to its partisan corners instead of doing the hard and necessary work of finding the lasting solutions when it comes to the crisis at our border. And in Arizona, we will continue to shoulder the burden.

Now, part of the problem is that many in Washington have never taken the time to really see our border up close. And without seeing it for all of its diversity and its challenges, it can be easy to rely on the partisan talking points instead of focusing on the meaningful, realistic solutions.

That is why when we come back to Congress in January, one of the first things I will do, with Senator TILLIS, is convene a bipartisan group of Senators who are willing and committed to get something done. We are going to bring them to the border. We are going to see what Arizonans see every single day, because a crisis this big should not and cannot be ignored. And in Arizona, we cannot afford for this crisis to continue much longer.

Over the past 4 years, I have been privileged to work with colleagues in this body on both sides of the aisle to solve some of our country's toughest challenges. Through honesty and collaboration, we have shown America there is so much more that unites us than divides us. We have shown America what is possible when we listen to one another, not to respond or debate, but to understand.

There is no challenge more intractable, more difficult to bridge, and more dire for us to solve than our border and immigration crisis. And I believe that we can come together and earnestly solve this challenge. I am willing to do this work. And I couldn't be more grateful for partners like Senator TILLIS, who is also willing to do this work. And today, I call on my colleagues on both sides of the aisle to join us. Put down the politics. Let's get this done.

I yield the floor.

THE PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, I first want to thank my colleague Senator SINEMA for her comments. I think that she has framed a lot of the challenges that we were seeking to address that are going to persist into the next Congress now.

I think one of the things that we have to do, if we are able to achieve bipartisan consensus in the next Congress, is to get more people to recognize, just as Senator SINEMA stated in her first few lines of her comments just before me, we have a crisis at the

southern border. And it is a crisis where the border States—the southern border States—bear the brunt of it, but it affects everybody in the United States. Every city, every State, every community is being affected by the crisis at the border.

I think this administration has to recognize—it is interesting if you watch the news coverage—how suddenly one end of the spectrum says: Now it is time for Congress to act. The crisis at the border—2 million illegal crossings in each of the last 12-month periods, for a total of 4 million people illegally crossing the border.

We dodged a bullet this week when title 42, which is a policy that allows expedited removal for a certain group of those crossing the border illegally to be returned—but tomorrow or next week or in the next couple of weeks, that policy is going to come off the books. Then, Border Patrol says, they will no longer have control over the border. They already have said that they can barely keep up.

The vast majority of people who are Border Patrol agents who should be responding to illegal crossings are now working in the aftermath of 2 million people coming across the border over the last 12 months. They are providing housing, transportation. They are not actually doing law enforcement. If title 42 goes away, that 2 million is estimated to be 3 million over the next 12 months. And it could go up from there.

Ever since President Biden has taken office—we have to keep in mind that this is just an objective observation. In the 12 months before President Biden came into office, there were about a half million illegal crossings—in the 12 months before. In the 12 months after, there were 2 million. And the 12 months after that, there were 2 million. And now we have the threat of 3 million and continuing.

On the one hand, when you see somebody risking their life to come into this country, you have to kind of take it as a compliment. They want to realize the American dream. And I admire that. One of the very reasons why we are so attractive as a country to come and live and prosper is because we are a nation of laws. We have order. Now we have disorder at the border.

And even though it is a huge problem to have 2 million crossings every year, it is an even worse problem to have 50,000 got-aways. The way it works down at the border—I have been to the border several times—the vast majority of the people that cross the border, immediately, you literally see at the northern side of the Rio Grande an arrow that points you to where you can go to be processed. They know they are going to be treated respectfully. They will be given housing. They will be given food. They will go through the process.

What is concerning is that there are some 50,000 per month who intentionally evade apprehension. Now, why on earth, if you have got a valid asylum claim or you don't have a criminal

record, would you run the risk of evading Border Patrol rather than presenting yourself, getting in line, being processed and being released within a few weeks? The reason for that is that many of them have criminal background records.

We had 750 recently apprehended who were documented members of gangs in their country of origin. These are people that are coming to this country and quickly going to the communities that they are most like and making those communities less safe for the people who are legally present or the people who have been relocated over the past couple of years with the flood at the border.

You also have to understand that the cartel—the reason the administration has to recognize this is a crisis is the cartels made an estimated \$800 million over the last 12 months paying a toll to come to this country. If you are in a Latin American country or South American country, you are paying an average between \$5,000 to \$7,000 per person. If you are from China, you are paying about \$35,000. These cartels have set up a marketing function. They go to these source countries and say: If you pay us a fee, we will get you to the United States, in spite of the fact that they have may have passed through other safe countries that they could seek asylum.

That is what we talk about when we are talking about abusing our asylum system. Our international treaties say that if somebody comes to you and you have a credible fear for your life or your family's life in the country that you live, relocate to a country that can grant you asylum and go through the process. But what the cartels are saying: Pay us a fee. We don't care where you are in the world—literally—and we will get you to the United States. And you will pass through several countries where you could have applied for asylum in between.

And then when you get here, the cartels have coached them on exactly what to say to make you think that they have a credible asylum claim, in spite of the fact that with hundreds of judges—Democratic judges, Republican judges, Independent judges—80 percent of those asylum claims are deemed not to be credible. So the asylum system is broken. It has to be fixed. It is one of the foundations of any kind of framework that I could support.

The border has to be secured, and we need more technology and more enforcement at the legal ports of entry because those same cartels who are making \$800 million a year are spending that money to then send truckloads of fentanyl and dangerous drugs poisoning and killing Americans.

I hope that in the next Congress, we can recognize, No. 1—hopefully the administration will recognize that we do have a crisis at the border and it can't be solved on partisan grounds. We have to have a conversation. Both ends of the political spectrum need to recog-

nize that you have to move to a point where we can produce a solution. Otherwise, Americans are going to be poisoned to death, and people trying to cross the border are going to die in the hundreds. It is a moral obligation that we have to get out of our political comfort zone and get something done. Otherwise, the deaths, the blood of the people who die as a result of inaction, will be on the hands of everybody in this room.

The PRESIDING OFFICER. The Senator from Washington.

#### AUTHORIZING LEASES OF UP TO 99 YEARS FOR LAND HELD IN TRUST FOR THE CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION

Ms. CANTWELL. Mr. President, I know I am interrupting a very, very important debate, and I appreciate my colleagues being out here to discuss this. I know the Senator from Illinois, the leader, is also here to discuss this issue. I am asking if I could interrupt that for a second.

I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 591, S. 3773.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 3773) to authorize leases of up to 99 years for land held in trust for the Confederated Tribes of the Chehalis Reservation.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs.

Ms. CANTWELL. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 3773) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 3773

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION LEASING AUTHORITY.

Subsection (a) of the first section of the Act of August 9, 1955 (69 Stat. 539, chapter 615; 25 U.S.C. 415(a)), is amended, in the second sentence, by inserting “, land held in trust for the Confederated Tribes of the Chehalis Reservation” after “Crow Tribe of Montana”.

The PRESIDING OFFICER. The Senator from Illinois.

#### IMMIGRATION

Mr. DURBIN. Mr. President, I want to thank my colleagues, Senator SINEMA and Senator TILLIS, for their statements earlier on the floor on the issue of immigration. A number of us are coming to the floor to discuss it today.

It is a sad day—sad because there are many people who are counting on this Congress to do something, who understood that we have an immigration system that is terribly broken and we are paying a heavy price for it, and there are many who are watching this proceeding today who are paying an even heavier price.

If we do nothing to help those who are protected by DACA, if we do nothing to help the Dreamers, court decisions may preempt us and may force some of these people to face the reality that they can no longer legally work in America and they are subject to deportation.

Many of these young people—and I will tell the story of one in just a moment—have spent their whole lives here in the United States. They have gone to our schools. They go to our churches. We see them at the high school football games. They work in the Dairy Queens. They are all over America because they are part of America—at least they think they are, but they are not. They are undocumented. Their parents brought them to this country when they were infants and toddlers and little kids. They grew up in this Nation thinking they were part of it, and then there was a day of awakening when the parents sat down and said: We have to tell you the truth. You are not here legally.

These are the Dreamers, people I have been trying to help for over 20 years. It is over 20 years since I first introduced the DREAM Act. I wanted to help them. I thought perhaps we could get something done. We haven't been able to. Unfortunately, today, it looks very, very unlikely that we will.

I hear in the comments from the Senator from Arizona and the Senator from North Carolina the bottom-line truth: Any reasonable, factual discussion or debate on immigration has to not only deal with the Dreamers and those who are here on undocumented status but also has to deal with what is going on at our southern border. The Senator from Arizona is correct. It is a humanitarian and security nightmare that is only getting worse. We are being flooded at the border by people who want to be safely in the United States.

I had an opportunity to meet some of those migrants who were bused to Chicago a few weeks ago and sit down across the table from them and hear their stories. I tell you, I recommend that to all who are interested in this issue. Hear the real stories of desperation and danger they faced in the countries they came from, and realize that their sentiments to be part of America, protected in America, have an opportunity in America, are the same sentiments that brought my grandmother to this country with my 2-year-old mother and her sister and brother.

I recall the stories. These are not people setting out to cheat some political system; these are people fighting for survival—Carlos, with his 4-year-